

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill Nos. 681 & 662, Page 69, Section 168.515, Line 33, by inserting after all of the said
3 section and line the following:
4

5 "169.560. 1. Any person retired and currently receiving a retirement allowance pursuant to
6 sections 169.010 to 169.141, other than for disability, may be employed in any capacity for an
7 employer included in the retirement system created by those sections on either a part-time or
8 temporary-substitute basis not to exceed a total of five hundred fifty hours in any one school year,
9 and through such employment may earn up to fifty percent of the annual compensation payable
10 under the employer's salary schedule for the position or positions filled by the retiree, given such
11 person's level of experience and education, without a discontinuance of the person's retirement
12 allowance. If the employer does not utilize a salary schedule, or if the position in question is not
13 subject to the employer's salary schedule, a retiree employed in accordance with the provisions of
14 this subsection may earn up to fifty percent of the annual compensation paid to the person or
15 persons who last held such position or positions. If the position or positions did not previously
16 exist, the compensation limit shall be determined in accordance with rules duly adopted by the
17 board of trustees of the retirement system; provided that, it shall not exceed fifty percent of the
18 annual compensation payable for the position by the employer that is most comparable to the
19 position filled by the retiree. In any case where a retiree fills more than one position during the
20 school year, the fifty-percent limit on permitted earning shall be based solely on the annual
21 compensation of the highest paid position occupied by the retiree for at least one-fifth of the total
22 hours worked during the year. Such a person shall not contribute to the retirement system or to the
23 public education employee retirement system established by sections 169.600 to 169.715 because of
24 earnings during such period of employment. If such a person is employed in any capacity by such
25 an employer in excess of the limitations set forth in this subsection, the person shall not be eligible
26 to receive the person's retirement allowance for any month during which the person is so employed.
27 In addition, such person shall contribute to the retirement system if the person satisfies the
28 retirement system's membership eligibility requirements. In addition to the conditions set forth
29 above, this subsection shall apply to any person retired and currently receiving a retirement
30 allowance under sections 169.010 to 169.141, other than for disability, who is employed by a third

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1 party or is performing work as an independent contractor, if such person is performing work for an
 2 employer included in the retirement system as a temporary or long-term substitute teacher or in any
 3 other position that would normally require that person to be duly certificated under the laws
 4 governing the certification of teachers in Missouri if such person was employed by the district. The
 5 retirement system may require the employer, the third-party employer, the independent contractor,
 6 and the retiree subject to this subsection to provide documentation showing compliance with this
 7 subsection. If such documentation is not provided, the retirement system may deem the retiree to
 8 have exceeded the limitations provided in this subsection.

9 2. Notwithstanding any other provision of this section, any person retired and currently
 10 receiving a retirement allowance in accordance with sections 169.010 to 169.141, other than for
 11 disability, may be employed by an employer included in the retirement system created by those
 12 sections in a position that does not normally require a person employed in that position to be duly
 13 certificated under the laws governing the certification of teachers in Missouri, and through such
 14 employment may earn up to ~~[sixty percent of the minimum teacher's salary as set forth in section~~
 15 163.172] the annual earnings exemption amount applicable to a Social Security recipient before the
 16 calendar year of attainment of full retirement age under 20 CFR 404.430, without a discontinuance
 17 of the person's retirement allowance from the retirement system. The Social Security annual
 18 earnings exemption amount applied shall be the exemption amount in effect for the calendar year in
 19 which the school year begins. Such person shall not contribute to the retirement system or to the
 20 public education employee retirement system established by sections 169.600 to 169.715 because of
 21 earnings during such period of employment, and such person shall not earn membership service for
 22 such employment. The employer's contribution rate shall be paid by the hiring employer into the
 23 public education employee retirement system established by sections 169.600 to 169.715. If such a
 24 person is employed in any capacity by an employer in excess of the limitations set forth in this
 25 subsection, the person shall not be eligible to receive the person's retirement allowance for any
 26 month during which the person is so employed. In addition, such person shall become a member of
 27 and contribute to any retirement system described in this subsection if the person satisfies the
 28 retirement system's membership eligibility requirements. The provisions of this subsection shall not
 29 apply to any person retired and currently receiving a retirement allowance in accordance with
 30 sections 169.010 to 169.141 employed by a public community college."; and

31
 32 Further amend said bill by amending the title, enacting clause, and intersectional references
 33 accordingly.